

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1607 - HB 2145

March 15, 2014

SUMMARY OF BILL: Rewrites several provisions of the Tennessee Firearms Freedom Act. Adds definitions for “federal enactment” and “federal enforcement action.”

Directs that any firearm present in the State or owned or possessed by an individual or entity in the State is not subject to any federal enactment or federal enforcement action. Directs that the rights of an individual or entity relative to firearms are not subject to any federal enactment or federal enforcement action in the State. Directs that any federal enactment of federal enforcement action relating to firearms is void in the State.

Prohibits any public official, employee, or agent of the State from acting, aiding, or otherwise cooperating with a federal enactment or federal enforcement action to impose, collect, enforce, or effectuate any fine.

Creates a Class A misdemeanor for knowingly enforcing or attempting to enforce any federal enactment or to further assist any federal enforcement action. A second or subsequent offense is a Class C felony.

Gives the Attorney General the authority to prosecute violations of the chapter and defend the State against violations of the chapter by the federal government. Gives the Attorney General and District Attorneys concurrent authority to investigate and prosecute.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – There is insufficient information to know the cost of litigation brought under the proposed legislation. However, it is assumed that the costs will exceed \$10,000.

Assumptions:

- According to the Department of Correction, the proposed legislation will not significantly impact state incarceration costs.
- According to the Tennessee Bureau of Investigation, the proposed legislation will not significantly impact the bureau.
- The Attorney General and District Attorneys have concurrent jurisdiction. Any litigation costs incurred by such agencies will not be significant.

- The proposed legislation also creates liability for the state to pay costs of civil declaratory and enforcement actions. There is insufficient information to know the cost of such litigation. However, it is assumed that the costs will exceed \$10,000.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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